

Notice of Allowability

Application No.

09/540,128

Examiner

Khanh Tran

Applicant(s)

HUGHES ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the Request For Continued Examination (RCE) filed on 01/11/2007.
2. The allowed claim(s) is/are 2-7, 9-13, 18 and 20-25, which have been renumbered as set forth in the Office action.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

1. The Request For Continued Examination (RCE) filed on 01/11/2007 has been entered. Claims 2-7, 9-13, 18 and 20-25 are pending in this Office action.
2. Claims have been renumbered as shown below, respectively:

claim 4 renumbered as claim 1;
claims 5-7 renumbered as claims 4-6;
claims 20-25 renumbered as claims 7-12;
claim 11 renumbered as claim 13;
claim 9 renumbered as claim 14;
claim 10 renumbered as claim 15;
claim 12 renumbered as claim 16; and
claim 13 renumbered as claim 17.

Response to Arguments

3. Applicant's arguments, see Applicants' Remarks on pages 2-3, filed on 01/11/2007, with respect to claims 2-7, 9-13, 18 and 20-25 have been fully considered and are persuasive. The rejection of claims 2-7, 9-13, 18 and 20-25 has been withdrawn.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

4. The present invention is directed to a wireless communication system / method for increasing the speed of acquisition or reacquisition of a pilot signal by a search engine. Each independent claim identifies the uniquely distinct features "performing a coarse search of an entire PN space using a set of coarse search parameters" and "use the results of the coarse search to select a portions of the PN space for fine search" and "perform the fine search using a set of fine search parameters". The closest prior art, LaRosa et al. US Patent 7,085,246 B1 disclosing an apparatus for acquiring a pseudo-random (PN) sequence timing for a CDMA radiotelephone, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

LaRosa et al. US Patent 7,085,246 B1 discloses "Method And Apparatus For Acquisition Of A Spread-Spectrum Signal".

LaRosa et al. US Patent 6,044,104 discloses "Method Of And Apparatus For Activating A Spread-Spectrum Radiotelephone".

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCT

Khanh Cong Tran
02/17/2007
Khanh Tran
Primary Examiner, AU 2611